

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

U.S. BANK NATIONAL ASSOCIATION,

Plaintiff,

vs.

SOUTHERN HIGHLANDS COMMUNITY  
ASSOCIATION, *et al.*,

Defendants.

Case No.: 2:18-cv-00205-GMN-BNW

**ORDER ADOPTING IN FULL  
REPORT AND RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 101), from United States Magistrate Judge Brenda N. Weksler recommending that Plaintiff U.S. Bank National Association’s Motion for Summary Judgment, (ECF No. 85), be granted because the excused tender doctrine applies. (*See generally* R&R, ECF No. 101).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s R&R where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

1 No objections to the R&R were filed, and the deadline to do so has passed. (*See* R&R,  
2 ECF No. 101) (setting a September 3, 2025, deadline for objections).

3 Accordingly,


4 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 101), is  
5 **ACCEPTED and ADOPTED IN FULL.**

6 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment, (ECF  
7 No. 85), is **GRANTED** such that Plaintiff's deed of trust survived the HOA foreclosure sale.

8 **IT IS FURTHER ORDERED** that all remaining claims are **DENIED as MOOT.**

9 The Clerk of Court is kindly directed to enter judgment in favor of Plaintiff, return  
10 Plaintiff's \$500 bond plus any applicable interest to Akerman LLP, and close the case.

11 Dated this 4 day of September, 2025.

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15 Gloria M. Navarro, District Judge  
16 United States District Court  
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